

REMARKS/ARGUMENTS

This Amendment is being filed in response to the Final Office Action dated October 28, 2010. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1, 3-9, 11-14, 16, 17 and 19 are pending in the Application. Claims 1, 9 and 13 are independent claims.

In the Final Office Action, claims 1, 3-8, 11, 13, 14, 16 and 19 are rejected under 35 U.S.C. §112, second paragraph. In response, claims 1, 13, and 19 are amended as suggested by the Examiner. Accordingly, it is respectfully submitted that the rejected claims are in proper form and it is respectfully requested that this rejection be withdrawn.

In the Final Office Action, claims 1, 3-9, 11-14, 16, 17 and 19 are rejected under 35 U.S.C. §103(a) over U.S. Patent Publication No. 2005/0126007 to Aviza ("Aviza"). The rejection of claims 1, 3-9, 11-14, 16, 17 and 19 is respectfully traversed. It is respectfully submitted that claims 1, 3-9, 11-14, 16, 17 and 19 are allowable over Aviza for at least the following reasons.

The claims are amended to clarify its recitation. In particular, the mechanism illustrated in the present application, such as shown in FIGs. 2-4, especially, is rephrased to clarify the recitations. It is respectfully submitted that the mechanism of the present claims is an improvement over any shown in the prior art because it enables smooth raising and lowering of the guiding member 10 (e.g., see, present application, FIGs. 2-4) such that its sides move in tandem. This is achieved because the first element and the adjustable

guiding member are of substantially same size and the "two resilient elements for maintaining the adjustable guiding member parallel to the other guiding member" as for example recited in amended claim 1.

First, it is important for the mechanism to be located on the blade assembly, to enable raising or lowering of the guiding member with the thumb while shaving. Because the hand grasps the grip portion, placement of the mechanism on the grip portion prevents such adjustment while shaving.

Aviza provides screw mechanisms, see FIGs. 1-4, 9, 15, and 16, however its only slide mechanisms are illustrated in FIGs. 3 and 7. The problem with the Aviza devices may be seen in FIGs. 3 and 7, as well as in Figures showing the thumb screw in the back of the Aviza housing 16, which is solved by the blade assembly of claim 1. Specifically, claim 1 sets out "at least two resilient elements for maintaining the adjustable guiding member parallel to the other guiding member". These resilient elements are marked with numeral 18 in the present application, FIGs. 2 and 4. It is respectfully submitted that Aviza was aware of the existence of such resilient elements, see Aviza, description in paragraph [0090] and FIG. 12. It can be concluded that it was not obvious to those skilled in the art, namely the inventors in Aviza, to use the "at least two resilient elements for maintaining the adjustable guiding member parallel to the other guiding member" as for example recited in amended claim 1. Further, because it was not obvious to those skilled in the art to combine the resilient elements with the apparatus of FIGs. 3 and 7 as well as of the figures showing the thumb screw of Aviza, it is not proper for the Examiner to take official notice to the

contrary.

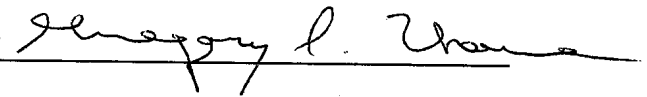
It is respectfully submitted that claim 1 is not anticipated or made obvious by the teachings of Aviza. For example, Aviza does not teach, disclose or suggest, amongst other patentable elements, (illustrative emphasis added) "a mechanism operable to be actuated while shaving to adjust the adjustable guiding member, the mechanism includes a chamber, a first element for up-down movement within the chamber, the first element and the adjustable guiding member are attached and are of substantially same size, a second element for lateral movement within the chamber, the second element raising and lowering the first element, and at least two resilient elements for maintaining the adjustable guiding member parallel to the other guiding member, wherein a lateral displacement of the second element in a direction parallel to said plane moves the adjustable guiding member in the direction perpendicular to said plane" as recited in claim 1, and as similarly recited in claims 9 and 13.

Based on the foregoing including the lack of documentary evidence provided in the Final Office Action, the Applicants respectfully submit that independent claims 1, 9, and 13 are patentable over Aviza in view of Official Notice and notice to this effect is earnestly solicited. Claims 2-8, 11-12 and 14, 16, 17 and 19 respectively depend from one of claims 1 and 9 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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